

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and the Estate
of Bernard L. Madoff,

Plaintiff,

v.

SQUARE ONE FUND LTD.,

Defendant.

Adv. Pro. No. 10-04330 (CGM)

**STIPULATION AND ORDER
FOR SECOND AMENDED CASE MANAGEMENT PLAN**

WHEREAS pursuant to Federal Rules of Civil Procedure 16 and 26, as incorporated by Bankruptcy Rules 7016 and 7026, Plaintiff Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff under chapter 7 of the United States Bankruptcy Code, 11 U.S.C. §§ 701, *et seq.*, and Defendant Square One Fund Ltd. (“Square One,” and with the Trustee, the

“Parties”), stipulated to the Case Management Plan, which was entered by this Court on July 16, 2019 (ECF No. 178);

WHEREAS, on August 26, 2021 this Court entered the Order Amending Case Management Plan (ECF No. 230) (“Amended Case Management Plan”);

WHEREAS, the Amended Case Management Plan ordered that all fact discovery shall be completed on or before July 29, 2022;

WHEREAS, the Amended Case Management Plan ordered that the Parties may serve document requests as provided in Rule 34 of the Federal Rules of Civil Procedure no later than June 15, 2022;

WHEREAS, the Amended Case Management Plan ordered that the Parties may serve interrogatories in accordance with Local Rule 7033-1 no later than June 15, 2022;

WHEREAS, the Amended Case Management Plan ordered that the Parties may serve requests for admission no later than June 15, 2022;

WHEREAS, the Amended Case Management Plan ordered that all depositions of fact witnesses must be completed by July 29, 2022;

WHEREAS, the Amended Case Management Plan ordered that all expert discovery shall be completed by March 30, 2023;

WHEREAS, the Amended Case Management Plan ordered that all disclosures of expert testimony under Rule 26(a)(2) of the Federal Rules of Civil Procedure shall be made by October 31, 2022;

WHEREAS, the Amended Case Management Plan ordered that all applications for permission of the Court for expert testimony beyond the scope of the opinion covered by the disclosures shall be made by November 30, 2022;

WHEREAS, the Amended Case Management Plan ordered that all disclosures of opposition expert testimony under Rule 26(a)(2) of the Federal Rules of Civil Procedure shall be made by December 30, 2022;

WHEREAS, the Amended Case Management Plan ordered that all depositions of expert witnesses must be completed by February 28, 2023;

WHEREAS, the Parties have agreed to an extension of all discovery by five months;

NOW THEREFORE, it is ORDERED that the deadline for the Parties to:

(i) complete all fact discovery under Section 2(a) of the Case Management Plan shall be extended to December 30, 2022;

(ii) serve document requests under Section 2(d) of the Case Management Plan shall be extended to November 15, 2022;

(iii) serve interrogatories under Section 2(e) of the Case Management Plan shall be extended to November 15, 2022;

(iv) serve requests for admission under Section 2(f) of the Case Management Plan shall be extended to November 15, 2022;

(v) conduct all depositions of fact witnesses shall be extended to December 30, 2022;

(vi) complete all expert discovery under Section 3(a) of the Case Management Plan shall be extended to August 31, 2023;

(vii) make all disclosures of expert testimony under Section 3(b) of the Case Management Plan shall be extended to March 31, 2023;

(viii) make all applications for permission of the Court for expert testimony beyond the scope of the opinion covered by the disclosures under Section 3(b) of the Case Management Plan shall be extended to April 28, 2023;

(ix) make all disclosures of opposition expert testimony under Section 3(b) of the Case Management Plan shall be extended to June 7, 2023; and

(x) conduct all depositions of expert witnesses under Section 3(c) of the Case Management Plan shall be extended to July 31, 2023.

Dated: May 13, 2022
New York, New York

BAKER & HOSTETLER LLP

By: /s/ Marco Molina
45 Rockefeller Plaza
New York, New York 10111
Telephone: 212.589.4200
Facsimile: 212.589.4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Marco Molina
Email: mmolina@bakerlaw.com
Ganesh Krishna
Email: gkrishna@bakerlaw.com

*Attorneys for Plaintiff Irving H. Picard,
Trustee for the Liquidation of Bernard L.
Madoff Investment Securities LLC and the
Chapter 7 Estate of Bernard L. Madoff*

JENNER & BLOCK LLP

By: /s/ Richard Levin
1155 Avenue of the Americas
New York, New York 10036
Telephone: 212.891.1600
Facsimile: 212.891.1699
Richard Levin
rlevin@jenner.com

Attorneys for Defendant Square One Fund Ltd.

Dated: May 16, 2022
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge